

MESSAGE NO: 8129204

MESSAGE DATE: 05/08/2008

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: PRE-Preliminary PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-351-841

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 05/05/2008 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF PRELIMINARY DETERMINATION IN THE ANTIDUMPING DUTY
INVESTIGATION OF POLYETHYLENE TEREPHTHALATE FILM, SHEET,& STRIP FROM
BRAZIL (A-351-841-000/001)

MESSAGE NO: 8129204

DATE: 05 08 2008

CATEGORY: ADA

TYPE: PRE

REFERENCE:

REFERENCE DATE:

CASES: A - 351 - 841

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PERIOD COVERED: 05 05 2008 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTICE OF PRELIMINARY DETERMINATION IN THE ANTIDUMPING
DUTY INVESTIGATION OF POLYETHYLENE TEREPHTHALATE FILM,
SHEET,& STRIP FROM BRAZIL (A-351-841-000/001)

1. ON 05-05-2008, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE
FEDERAL REGISTER ITS AFFIRMATIVE PRELIMINARY DETERMINATION OF
SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY
INVESTIGATION OF POLYETHYLENE TEREPHTHALATE FILM, SHEET, AND
STRIP FROM BRAZIL (73 FR 24560).

2. THE PRODUCTS COVERED BY THIS INVESTIGATION ARE ALL GAUGES
OF RAW, PRE-TREATED, OR PRIMED PET FILM, WHETHER EXTRUDED OR

CO-EXTRUDED. EXCLUDED ARE METALLIZED FILMS AND OTHER FINISHED FILMS THAT HAVE HAD AT LEAST ONE OF ITS SURFACES MODIFIED BY THE APPLICATION OF A PERFORMANCE-ENHANCING RESINOUS OR INORGANIC LAYER MORE THAN 0.00001 INCHES THICK. ALSO EXCLUDED IS ROLLER TRANSPORT CLEANING FILM WHICH HAS AT LEAST ONE OF ITS SURFACES MODIFIED BY APPLICATION OF 0.5 MICROMETERS OF SBR LATEX. TRACING AND DRAFTING FILM IS ALSO EXCLUDED. PET FILM IS CLASSIFIABLE UNDER SUBHEADING 3920.62.00.90 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). WHILE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND PURPOSES OF CUSTOMS AND BORDER PROTECTION (CBP), OUR WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-351-841.

4. FOR IMPORTS OF POLYETHYLENE TEREPHTHALATE FILM, SHEET, AND STRIP FROM BRAZIL, CUSTOMS SHALL SUSPEND LIQUIDATIONS OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION

ON OR AFTER 05-05-2008. EFFECTIVE 05-05-2008 CUSTOMS SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

MFR PRODUCER	CUSTOMS ID	MARGIN
TERPHANE LTDA.	A-351-841-001	44.36%
ALL OTHERS	A-351-841-000	28.72%

5. IF ANY ENTRIES OF THIS MERCHANDISE ARE EXPORTED BY A FIRM OTHER THAN THE MANUFACTURER, THEN THE FOLLOWING INSTRUCTIONS APPLY:

A. IF THE EXPORTER OF THE SUBJECT MERCHANDISE DOES NOT HAVE ITS OWN RATE BUT THE MANUFACTURER HAS ITS OWN RATE, THE CASH DEPOSIT OR BONDING RATE WILL BE THE MANUFACTURER'S RATE.

B. WHERE NEITHER THE EXPORTER NOR THE MANUFACTURER CURRENTLY HAS ITS OWN RATE OR THE MANUFACTURER IS UNKNOWN, USE THE 'ALL OTHER' RATE OF 28.72 PERCENT TO ESTABLISH THE CASH DEPOSIT OR BONDING RATE.

6. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF CBP, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM(OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES, CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 07: MJH).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party